

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

#C-8-E

October 20, 2005

**No. 05-2191**

IN RE: IT GROUP, INC., Debtor

JOHN ACCARDI, et al, Appellants

v.

IT LITIGATION TRUST, INC., et al

MARK S. KENNY, Trustee

(District of Delaware -DC No. 04-CV-146)

PRESENT: BARRY, SMITH and NYGAARD, Circuit Judges

- 1). Emergency Ex-Parte Motion by Appellants and Rochelle Bookspan for Temporary Stay of Bankruptcy Court Order Releasing IT Litigation Trustee from Reserve Requirement and Authorizing Distribution of Schedule C-1 Reserve; and for Order Setting Forth Briefing Schedule; and for Stay Pending Appeal, of Enforcement of Order Dismissing Adversary Proceedings, of Order Releasing IT Litigation Trustee.
- 2). Response by Appellees Anthony J. Deluca, Francis J. Harvey, Harry J. Soose, and Carlyle Partners II in Opposition.
- 3). Response by Appellee The IT Litigation Trust Trustee's Objecting to Emergency Motion.

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Carolyn Hicks, Case Manager  
267-299-4926

Copy of Court Order dated 10/17/05 Referring  
to a Full Motions Panel.

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No. 05-2191  
In Re: IT Group, Inc., Debtor  
Page 2

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**ORDER**

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**The foregoing motion for a stay is DENIED.**

**By the Court,**

**/s/ Maryanne Trump Barry**  
**Circuit Judge**

**Dated:** November 30, 2005

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*Kathleen P...*  
ACTING CLERK